

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**
Alexandria Division

UNITED STATES OF AMERICA,	:	
	:	
v.	:	Criminal Case No. 1:18-CR-457 (AJT)
	:	
BIJAN RAFIEKIAN, et al.	:	

DEFENDANT BIJAN RAFIEKIAN'S MOTION *IN LIMINE* TO EXCLUDE OUT-OF-COURT STATEMENTS BY CO-CONSPIRATORS

Defendant Rafiekian, through counsel, hereby respectfully requests the Court to exclude from trial all out-of-court statements by co-conspirators or in the alternative to hold a hearing to require the government to meet its burden before allowing the admission of such statements.

The grounds for this motion are set forth in the accompanying memorandum of law. A proposed order is attached to this motion.

Defendant respectfully requests that the Court hear this motion on June 18, 2019, at 9:00 a.m., or at such time as the Court may direct.

Dated: May 28, 2019

Respectfully submitted,

/s/
James E. Tysse (VA Bar # 73490)
Mark J. MacDougall (*Pro Hac Vice*)
Stacey H. Mitchell (*Pro Hac Vice*)
John C. Murphy (*Pro Hac Vice*)
Adam A. Bereston (*Pro Hac Vice*)
Samantha J. Block (*Pro Hac Vice*)
Counsel for Bijan Rafiekian
Akin Gump Strauss Hauer & Feld LLP
2001 K Street, NW
Washington, DC 20006
Telephone: (202) 887-4000
Fax: (202) 887-4288
E-mail: mmacdougall@akingump.com
shmitchell@akingump.com

/s/

Robert P. Trout (VA Bar # 13642)
Counsel for Bijan Rafiekian
Trout Cacheris & Solomon PLLC
1627 Eye Street, NW
Suite 1130
Washington, DC 20006
Telephone: (202) 464-3311
Fax: (202) 463-3319
E-mail: rtrout@troutcahceris.com

CERTIFICATE OF SERVICE

I hereby certify that, on the 28th day of May 2019, true and genuine copies of Defendant Rafiekian's Motion *In Limine* to Exclude Out-of-court Statements by Co-conspirators were sent via electronic mail by the Court's CM/ECF system to the following:

James P. Gillis
John T. Gibbs
Evan N. Turgeon
U.S. Attorney's Office (Alexandria-NA)
2100 Jamieson Avenue
Alexandria, VA 22314
Telephone: (703) 299-3700
Email: james.p.gillis@usdoj.gov
john.gibbs@usdoj.gov
evan.turgeon@usdoj.gov

/s/

Robert P. Trout (VA Bar # 13642)